

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES DAVIS, III,

Plaintiff,

-against-

THE DEPARTMENT OF CORRECTIONS;
WESTCHESTER COUNTY JAIL,

Defendants.

19-CV-10588 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

By order dated December 13, 2019, the Court granted Plaintiff 60 days' leave to file an amended complaint. On January 24, 2020, the Court granted Plaintiff's request for an extension of time, providing him an additional 30 days to file his amended complaint.

The Court is now in receipt of a second request for an extension of time to file the amended complaint. Plaintiff states that he needs additional time because he is "having trouble getting information from the defendants." (ECF No. 8.)

The Court is inclined to deny this request. As the Court already explained to Plaintiff in the January 24, 2020 order, Plaintiff does not require any information from Defendants to file his amended complaint. Rather, he must submit an amended complaint stating what happened to *him*. But in light of Plaintiff's *pro se* status, the Court will grant him one more extension of time. No more extensions will be granted. If Plaintiff fails to file an amended complaint without thirty days of the date of this order, the Court will dismiss the complaint for failure to state a claim.

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court grants Plaintiff an additional 30 days from the date of this order to file an amended complaint.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: February 27, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge